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STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

PENNSYLVANIA.

Water—Certain Cities Authorized to Supply Other Municipalities in Same County. (Act Mar. 31, 1915.)

SECTION 1. That all cities of the third class wherein the title to the waterworks therein located is in the name of the city, shall have the right, and are hereby authorized and empowered, to extend the water pipes and improvements of any such waterworks, beyond the bounds of the cities wherein they are located, into the county and municipalities of the county in the vicinity of such cities; and to furnish water to any and all corporations, institutions, persons, and municipalities in the counties in which said cities are located, under and in pursuance of the laws, rules, and regulations now existing or to be hereafter enacted governing cities of the third class. This section does not authorize a city of the third class to extend water pipes or supply water in territory outside the boundaries of such cities, which territory is being supplied with water by a private company.

Water Supplies—Certain Townships Authorized to Arrange for, with Other Municipalities. (Act Apr. 9, 1915.)

SECTION 1. That any township of the first class is empowered to contract with any adjoining municipality, owning a waterworks system, for a supply of water for public and private uses, to be delivered into the lines of the township at or near the boundary thereof.

This section does not authorize a contract between a township of the first class and a municipality for the supply of water in territory being supplied by a private company.

SEC. 2. A township making such contract may, by ordinance, provide and regulate and protect a system of distribution of the water. After a certified copy of the plans and surveys for such system, with a description of the sources from which it is proposed to derive the supply, are filed in the department of health, and a written permit for the construction of such system obtained from the commissioner of health, in accordance with the provisions of the act of April 22, 1905, entitled "An act to preserve the purity of the waters of the State for the protection of the public health."

SEC. 3. In providing for regulating and protecting and extending its system of distribution of water, the township may occupy public highways; and may take, injure, or destroy private property, compensation for which taking, injury, or destruction to be made or secured as hereinafter in this act provided. No highway under the jurisdiction of the State highway department shall be occupied until a permit therefor has been obtained from the State highway department. Property belonging to or used as a cemetery, or a place of public

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worship, or any public or parochial school, or other educational or charitable institution or seminary, shall not be taken, injured, or destroyed by virtue of this act.

SEC. 4. If the compensation and damages arising from such taking, injury, or destruction of private property can not be agreed upon, the township may tender its bond as security to the party claiming or entitled to any damages, or to the attorney or agent of any absent person, or to the agent or other officer of a corporation, or to the guardian or committee of any person under legal incapacity. The condition of the bond shall be, that the township shall pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon or assessed in the manner provided in this act. In case the party or parties claiming damages refuse or do not accept the security so tendered, the township shall then give the party, his or their agent, attorney, guardian, or committee at least 10 days' written notice of the time when the same will be presented to the court of common pleas for approval. Thereafter the township may present its bond to the court and when approved the said bond shall be filed in court for the benefit of those interested; and recovery may be had thereon for the amount of damages finally determined if the same be not paid or can not be made by execution on the judgment in the issue formed to try the question; and upon the approval of said security the township may enter into possession, take, hold, use, and enjoy said land for the purpose aforesaid forever.

SEC. 5. In case the compensation or damages accruing from such taking, injury, or destruction has not been agreed upon by the parties in interest, the court of common pleas, or any law judge thereof in vacation, on application thereto by the township or any person interested in such properey, shall appoint three members of the board of viewers of the county as a board of view, and appoint a time, not less than 10 nor more than 20 days thereafter, when the board of view shall meet upon the property and view the same and the premises affected thereby. The board of view shall give at least 5 days' personal notice of the time of their first meeting, upon the owners, agents, attorneys, or representatives thereof, if the same reside within the county; otherwise, by handbills posted upon the premises, or by such other notice as the court shall direct. The board of view, having been duly sworn or affirmed faithfully, justly, and impartially to decide and true report to make concerning all matters and things submitted to them in relation to which they are authorized to inquire under the provisions of this act; and having viewed the premises or examined the property, shall hear all parties interested and their witnesses; and, having due regard to the advantages and disadvantages, shall estimate and determine the damages for the property taken, used, or appropriated, and to whom the same are payable. They shall give at least 10 days' notice thereof, in the manner herein provided, to all parties interested, of the time and place when the board of view will meet and exhibit said report and hear any exceptions thereto. After making whatever changes are deemed necessary and proper, the board of view shall make report to the court, showing the damages, if any are allowed; and file therewith a plan showing the properties taken, injured, or destroyed, and the names of the persons to whom such damages are payable.

SEC. 6. When the report of the board of view, or any two of them, is filed in court, any party may, within 30 days thereafter, file exceptions to the same; and the court may confirm the report, or modify, change, or otherwise correct it, or refer it back to the same or new viewers, with like power as to their report. Or within 30 days from the filing of any report in court, any party whose prop-

erty is so taken, used, or appropriated may appeal to the court of common pleas of the county and demand a trial by jury. Any party interested therein may, within 30 days after final decree, have an appeal to the superior or the supreme court. If no exceptions are filed or no demand made for trial by jury within the said 30 days after the filing of said report, the same shall become absolute. The court may order what notices shall be given in connection with any part of said proceedings, and may make all such orders as it may deem requisite.

SEC. 7. The board of view provided for in this act may be appointed before or at any time after the entry, taking, or appropriation of any property to be used for the purpose aforesaid. They shall have power to administer oaths and adjourn their hearings from day to day as they may find necessary.

SEC. 8. The costs of the board of view, and all court costs incurred in the proceedings, including advertising and printing and posting notices, shall be defrayed by the township.

SEC. 9. All damages, when determined, shall be assessed against and paid by the township so taking, injuring, or destroying the property as aforesaid.

Sewers Constructed at Public Expense—Property Abutting—Boroughs Authorized to Collect Annual Assessment From. (Act May 11, 1915.)

SECTION 1. That whenever any borough of the Commonwealth of Pennsylvania has heretofore constructed, or shall hereafter construct, any sewer or sewer system, at public expense, the council of the said borough may provide by ordinance for the collection of an annual rental or charge, for the use of such sewer or sewer system, from the owners of property served by it. Such annual rental or charge shall be authorized and collected as provided by general ordinances, and when so levied and charged shall be a lien on the properties charged, and the collection thereof shall be made and enforced in the manner borough taxes are now collected.

SEC. 2. The councils of said boroughs shall execute a warrant, or warrants, authorizing the collection of the said annual sewer rentals or charges, to the officer employed by council to collect the same, and the officer collecting the said rentals shall have the authority now vested by law in collection of borough taxes.

SEC. 3. The said annual sewer rentals or charges shall be a lien on the properties charged with the payment thereof, from the date set in the said ordinance, and if not paid after 30 days' notice may be collected by an action in assumpsit, in the name of the borough, against the owner of the property charged, or by distress of personal property on the premises, or by a lien filed in the nature of a tax lien.

SEC. 4. The said annual rental, so to be levied and charged as herein provided, shall not exceed the amount expended annually by the said boroughs in the maintenance, repair, alteration, inspection, or other expense in relation thereto, and may include any interest on money expended by the said borough in the construction of the said sewer or sewer system. The said annual sum shall be apportioned equitably among the several properties served by the said sewers.

Sewers and Sewage-Disposal Plants in Counties—Construction and Maintenance—Connections with. Sewer Districts. (Act June 5, 1915.)

SECTION 1. That the several counties of this Commonwealth shall have the power, and they are hereby authorized, whenever the commissioners, or a majority of them, shall, by resolution duly adopted, deem it expedient so to do, and